

## **REMARKS/ARGUMENTS**

Applicants have received the Office action dated November 4, 2004, in which the Examiner: 1) restricted the claims into two groups; 2) objected to the drawings; 3) rejected claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Bogumil et al. (U.S. Pat. No. 6,253,333) in view of Takahashi (U.S. Pat. No. 6,370,200; 4) indicated that claim 1-16 and 22-31 are allowable; and 5) objected to claim 19 as being dependent upon a rejected base claim.

With this Response, Applicants amend claims 1, 3-9, 11, 13, 15-16, 19, 22-23, 25 and 30-31, and cancel claims 17-18, 20-21 and 32-39. Reconsideration is respectfully requested.

### **I. RESTRICTION REQUIREMENT**

The Office action dated November 4, 2004 defines the groupings of the restriction requirement as follows: Group I (claims 1-10, 17-21, 22-28 and 30); and Group II (claims 1, 11-16, 22, 29 and 30-39). Based on other portions of the Office action (second full paragraph of page 3 and Paragraph 12 (on page 7)), it is believed the actual groups are: Group I (claims 1-10, 17-28 and 30); and Group II (claims 11-16, 29, and 31-39). Applicants affirm the election of the Group I claims (claims 1-10, 17-28 and 30).

However, the Office action of November 4, 2004 in Paragraph 12 indicates that claims 1, 22 and 30 are generic and allowable, and withdraws the restriction requirement as to claims 11-16, 29 and 31.

### **II. AMENDMENTS TO THE DRAWINGS**

With this Response, Applicants add the legend "Prior Art" to each of the Figures 1-4 as requested in the Office action dated November 4, 2004.

### **III. ALLOWED AND EFFECTIVELY ALLOWED CLAIMS**

The Office action dated November 4, 2004 indicates allowance of claims 1-16 and 22-31. With this Response, Applicants amend claim 1 to remove limitations not needed to define over the cited art, and also which were not cited as the reasons for allowance. Applicants respectfully submit that claim 1, and all claims that depend from claim 1, are still in a condition for allowance. The Applicants amend claims 3-9, 13, and 15-16 to reflect the amendments to claim 1, and not to define over the cited art. In many cases, the limitations removed from

claim 1 are now expressly recited in the dependent claims, but it is noted these dependent claims already contained the limitations by virtue of their dependency. Claim 3 is further amended to ensure an interpretation that requires use of only one of the signal paths to find infringement. Claim 11 is amendment to correct a grammatical deficiency.

Applicants amend claim 22 to remove limitations not needed to define over the cited art, which were not cited as the reasons for allowance, and also to correct an antecedent basis shortcoming. Applicants respectfully submit that claim 22, and all claims that depend from claim 22, are still in a condition for allowance. Claim 25 was amended to reflect the amendments to claim 22. Claim 23 was amended to ensure an interpretation that requires use of only one of the signal paths to find infringement.

Applicants amend claim 30 to remove limitations not needed to define over the cited art, and also which were not cited as the reasons for allowance. Applicants respectfully submit that claim 30, and claim 31 that depends from claim 30, are still in a condition for allowance. Applicants amend claim 31 to reflect the amendments to claim 30.

Finally, the Office action dated November 4, 2004 indicated that claim 19 would be allowable if re-written into independent form, including the limitations of the base claim and intervening claims. Applicants amend claim 19 to be in independent form, but amended claim 19 does not contain the limitations of claim 18, as these limitations are not needed to define over the cited art. Moreover, in the amended claim 19, much of the preamble of claim 17 has been removed. Applicants respectfully submit that claim 19 is still in a condition for allowance.

#### **IV. CLAIM CANCELLATIONS**

Applicants cancel the remaining claims of Group II for which the restriction requirement has not been withdrawn (claims 32-39). Likewise, Applicants cancel claims 17-18 and 20-21. These cancellations are without prejudice to later asserting these claims, such as in divisional and/or continuation applications.

**V. NEW CLAIMS**

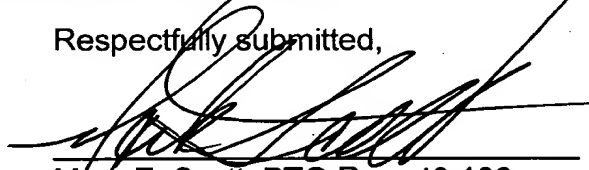
With this Response, Applicants present new claims 40 and 41. New claim 40, and therefore new claim 41 which depends from claim 40, should be patentable for the same reasons as stated in the reasons for allowance of claims 1, 22 and 30: delay hardware between a clock source (PLL as stated in the reasons for allowance) and a memory module; and a look-up table that directs use of one of the signal paths based on the number of memory modules present. Thus, Applicants respectfully submit that these claims are not taught or rendered obvious by the cited art.

**VI. CONCLUSION**

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



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**Appl. No. 09/904,814**  
**Amdt. dated January 25, 2005**  
**Reply to Office action of November 4, 2004**

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Figs. 1-4. This sheet replaces the original sheet including Figs. 1-4. In Figs. 1-4, the legends "Prior Art" have been added as requested in the Office action dated November 4, 2004. .

Attachment: Replacement Sheet  
Annotated Sheet

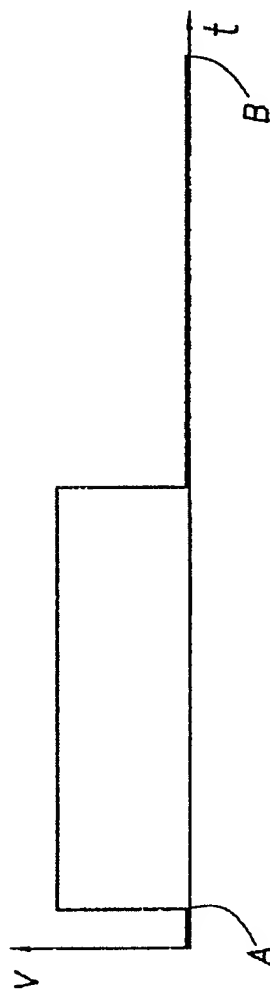
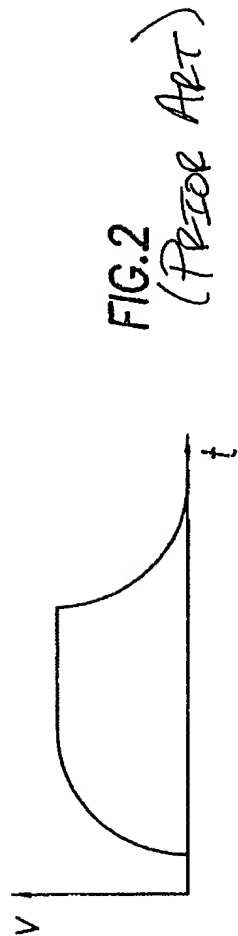


FIG. 3  
(Prior Art)

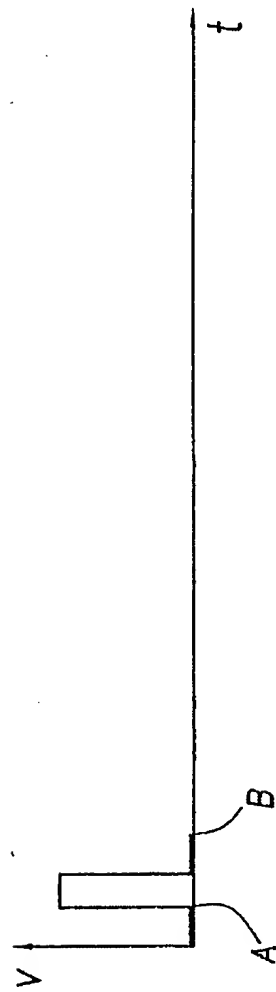


FIG. 4  
(Prior Art)